

FORM PTO-1390  
(REV 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEYS DOCKET NO.

4804SAB-1

U.S.

(1.5)

10/088,627

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/ZA00/00173	18 September 2000	17 September 1999

**TITLE OF INVENTION**  
"NOVEL MICRO-ORGANISMS, THEIR USE AND METHOD FOR PRODUCING D-AMINO ACIDS"

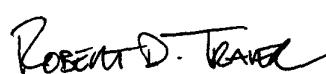
**APPLICANT(S) FOR DO/EO/US**  
BURTON, Stephanie Gail; DORRINGTON, Rosemary Ann and HARTLEY, Carol Janet

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 To 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A FIRST preliminary amendment.
14.  A SECOND or SUBSEQUENT preliminary amendment.
15.  A substitute specification.
16.  A change of power of attorney and/or address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 1.54(d)(4).
20.  Other items or information: Copy of Notification of Missing Requirements

U.S. APPLICATION NO.	INTERNATIONAL APPLICATION NO. PCT/ZA00/00173	ATTORNEY'S DOCKET NUMBER 4804SAB-1
21. [X] The following fees are submitted:  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>		CALCULATIONS PTO USE ONLY  101080627 #3
<p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO .....</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33 (1)-(4) .....</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....</p>		\$1040.00 \$890.00 \$740.00 \$710.00 \$100.00
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		[ ] 20 [X] 30 \$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total Claims	- 20 =	x \$18.00 \$
Independent Claims	- 3 =	x \$84.00 \$
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)		+ \$280.00 \$
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
[ ] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$
<b>SUBTOTAL =</b>		\$ 130.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		[ ] 20 [ ] 30 \$
<b>TOTAL NATIONAL FEE =</b>		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property		+ \$
<b>TOTAL FEES ENCLOSED =</b>		\$ 130.00
08/07/2002 LI AND GAO 00000068 10008627		Amount to be: \$
01 FC:154 130.00 OP		refunded \$
		charged \$
<p>a. [X] A check in the amount of \$ <u>130.00</u> to cover the above fees is enclosed.</p> <p>b. [ ] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed.</p> <p>d. [ ] Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>SHERIDAN ROSS P.C. 1560 Broadway, Suite 1200 Denver, Colorado 80202-5141 Telephone: (303) 863-9700 Facsimile: (303) 863-0223</p> <p><b>CUSTOMER NO. 22442</b></p>		
 SIGNATURE		
Robert D. Traver Registration No. 47,999		

10/182794

DT10 Rec'd PCT/PTO 22 JUL 2002

"EXPRESS MAIL" MAILING LABEL NUMBER: EL767783754US

DATE OF DEPOSIT: July 22, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST  
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE  
INDICATED ABOVE AND IS ADDRESSED TO BOX PCT, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: JANICE MESSER AIMEE THUERK

SIGNATURE: Aimee Thuerk



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,627	Stephanie Gail Burton	4804SAB-1
INTERNATIONAL APPLICATION NO.		
PCT/ZA00/00173		
Sheridan Ross 1560 Broadway Suite 1200 Denver, CO 80202-5141	RECEIVED JUL 08 2002 SHERIDAN, ROSS	I.A. FILING DATE      PRIORITY DATE 09/18/2000
CONFIRMATION NO. 7155 371 FORMALITIES LETTER  *OC000000008354567*		

Date Mailed: 06/28/2002

### **NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- **APPLICANT MUST PROVIDE:**
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase Patentin Software, call (703) 306-2600
  - For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

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Telephone: (703) 305-3695

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,627	PCT/ZA00/00173	4804SAB-1

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